

24-cv-2187

CHEN, J.
BLOOM, M.J.IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORKFILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 20 2024 ★

BROOKLYN OFFICE

ENEKAN EDO

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

OFFICER DANIAL RYAN

106th Precinct

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Complaint for Violation of Civil
Rights

(Non-Prisoner Complaint)

Case No. _____

(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in *forma pauperis*.

REC'D IN PRO SE OFFICE
MAR 21 '24 AM 11:41

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>ENEKAN EDO</u>
Street Address	<u>145-38 130th AVE</u>
City and County	<u>Queens</u>
State and Zip Code	<u>New York 11436</u>
Telephone Number	<u>(929)-530-6894</u>
E-mail Address	<u>KASHISFATE@GMAIL.COM</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	<u>OFFICER - DANIAL RYAN #959178</u>
Job or Title (if known)	<u>NYPD OFFICER</u>
Street Address	<u>103-53 101st Queens NY</u>
City and County	<u>Queens NY</u>
State and Zip Code	<u>11417</u>
Telephone Number	<u>(718) 845-2211</u>
E-mail Address (if known)	<u></u>

Defendant No. 2

Name

John Doe

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

Defendant No. 3

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

Defendant No. 4

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- ☒ State or local officials (a § 1983 claim)
☐ Federal officials (a *Bivens* claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

4th admendment 5th admendment
14th admendment

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

No I am not suing under "Biven"

D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

"SEE ATTACHED"

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

"SEE ATTACHED"

B. What date and approximate time did the events giving rise to your claim(s) occur?

"SEE ATTACHED"

C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

"SEE ATTACHED"

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I want the courts to have
the Defendants compensate
me = \$350,000

VI. Certification and Closing

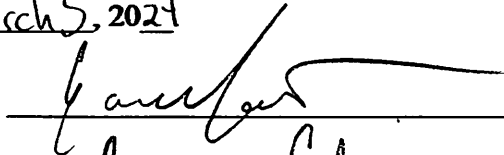
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

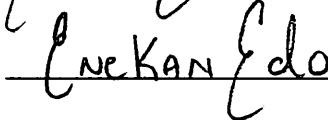
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: MARCH 5, 2024

Signature of Plaintiff

A handwritten signature in black ink, appearing to read "Enekan Edo", written over a horizontal line.

Printed Name of Plaintiff

A handwritten name "Enekan Edo" in black ink, written over a horizontal line.

INSTRUCTIONS FOR FILING A CIVIL RIGHTS COMPLAINT

Attached is a complaint form for filing an action under 42 U.S.C. § 1983. Observe the following instructions for completing the complaint:

1. **Caption:** It is very important, if possible, that you state the first and last name of each defendant and badge number, if appropriate. You are required to furnish the correct name and address of each person so that service of process upon each defendant can be made.
2. **Contents:** The form should be fully completed. It can be typewritten or handwritten. It must be legible. If you need more space to answer a question, attach a separate sheet of 8 ½ by 11 paper to your complaint. You are required to state facts, such as the date and location of the events. You need not make legal arguments or cite to cases. The complaint must have an original (not photocopied) signature by each plaintiff. The complaint need not be notarized.
3. **Copies:** You must send the Court the original complaint and two exact copies (a complete set of three). You should keep another copy for your records. Copies can be xeroxed, handwritten or typewritten, but all copies must be identical to the original.
4. **Fee:** The filing fee is \$405, payable to the Clerk of the Court, USDC, EDNY by certified check, bank check, personal check, money order or cash (if paying in person). If the filing fee is paid, the U.S. Marshal will not be directed to serve the defendants and plaintiff will be responsible for service of process on defendants. Service of the summons and complaint can be made by anyone over the age of 18 who is not a party to the action.
5. **Not Legal Advice.** No form provides legal advice. No form substitutes for having or consulting a lawyer. If you are not a lawyer and are suing or have been sued, it is best to have or consult a lawyer if possible. No Guarantee. Following a form does not guarantee that any pleading is legally or factually correct or sufficient.
6. **Variations Possible.** A form may call for more or less information than a particular court requires. The fact that a form asks for certain information does not mean that every court or a particular court requires it. And if the form does not ask for certain information, a particular court might still require it. Consult the rules and caselaw that govern in the court where you are filing the pleading.
7. **Privacy Requirements.** Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns over public access to electronic court files. Under this rule, papers filed with the court should not contain anyone's full social-security number or full birth date; the name of a person known to be a minor; or a complete financial-account number. A filing may include only the last four digits of a social-security number and taxpayer identification number; the year of someone's birth; a minor's initials; and the last four digits of a financial-account number.

When you have completed the forms, mail the original and 2 copies to the:

United States District Court
Eastern District of New York
225 Cadman Plaza East, Brooklyn, NY 11201
Attention: Pro Se Office

or

United States District Court
Eastern District of New York
100 Federal Plaza, Central Islip, NY 11722
Attention: Pro Se Office

Keep this page and a copy of the complaint for your records. You may call 718-613-2665 in Brooklyn or 631-712-6060 in Central Islip if you have questions on how to file your complaint.

- 1). On November 13, 2023 , between the hours of 5-7am on the intersection of 134th street and north conduit ave, county of Queens NY.
- 2). I Enekan Edo called 911 to report a female that would not move when I told her to get out of my car. She was kicking me and spitting, is what I told the dispatch lady on the 911 call. (I recorded this incident on my phone for evidence)
- 3). At or around 6:15am the 106th precinct came on the scene Officer Daniel Ryan TAX REG# 959178 , and 7 other officers saw the lady grabbing me from inside the car. When the officers approached the vehicle I told officer Daniel Ryan that this lady does not want to leave my car.
- 4) . I told officer Daniel Ryan the same thing I told the dispatch lady on the 911 call. I also told officer Daniel Ryan that I recorded the incident on my phone and showed him the lady not getting out of my car when I told her to.
- 5). Officer Daniels just completely disregarded what I said and told me that he doesn't care and then grabbed me. All the 7 other officers came running over to where officer Daniels was grabbing me.
- 6). I shouted , "WHY AM I GETTING ARRESTED I'M THE ONE THAT CALLED 911" , ..officer Daniels and 2 officers behind me..responded saying ... "your getting arrested cause your black", the officers said that in my ear very low so the body camera would not be able to hear them.
- 7). As I was being detained by the 106th precinct officers they then proceeded to my car to where the lady was. The officers were then searching my car without my authorization after the lady told them something.
- 8). I shouted to the officers and the lady to stop searching my car. One of the officers told me to, "" shut up". I was then thrown in the back of the

NYPD patrol car. Where officer Daniels never read me my rights nor did he tell me what I was being apprehended for.

9). They did not let me call my father to pick up my car . My car was left there on the side of the road. When my father finally picked up my car .

10). There was \$1500 missing , my seatbelt buckle was broken off, my back left tail light was broken , and the lower front left side of my car has a busted . And i went to a auto body shop in were they said it would cost 20k to fix.



QUEENS CRIMINAL COURT

125-01 Queens Boulevard, Kew Gardens, NY 11415

Phone: (718) 298-0792 Fax: (718) 520-2451

Court ORI: NY040033J

NO FEENon-Public
VersionThe People of the State of New York
vs.

Certificate of Disposition

Docket Number:

CR-033445-23ON

NYSID:

00983240Z

BOOKING DATE: 03/07/2024

ARREST DATE: 11/13/2023

FINGERPRINT DATE: 11/13/2023

THIS IS TO CERTIFY that the undersigned has examined the files of the Queens Criminal Court concerning the above entitled matter and finds the following:

Count #	Charge	Charge Weight	Disposition	Disposition Date
1	PL 240.20 01 V Harassment-2nd.Physical Contact **SEALED 160.50**	V	Dismissed (Speedy Trial (CPL 170.30 (1)(e)), Sealed 160.50)	02/15/2024
2	PL 120.00 01 AM Aslt 3-W/Int Cause Phys Injury **SEALED 160.50**	AM	Dismissed (Speedy Trial (CPL 170.30 (1)(e)), Sealed 160.50)	02/15/2024

Charge Weight Key: I-Infection; V-Violation; AM, BM-Class Misdemeanor; UM-Unclassified Misdemeanor; AF, BF, CF, DF, EF-Class Felony

Dated: February 23, 2024

Chief Clerk/Clerk of the Court

CAUTION: THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE COURT SEAL

All marijuana convictions under PL 221.05, PL 221.10, PL 221.15, PL 221.20, PL 221.35 or PL 221.40—including any appearing on this certificate of disposition—are vacated, dismissed, sealed, and expunged. It is an unlawful discriminatory practice for any entity to make any inquiry about such an expunged conviction or to use such an expunged conviction adversely against an individual in any form of application or otherwise—unless specifically required or permitted to do so by statute. It shall be an unlawful discriminatory practice, unless specifically required or permitted by statute, for any person, agency, bureau, corporation or association, including the state and any political subdivision thereof, to make any inquiry about, whether in any form of application or otherwise, or to act upon adversely to the individual involved, any arrest or criminal accusation of such individual not then pending against that individual which was followed by a termination of that criminal action or proceeding in favor of such individual, as defined in subdivision two of section 160.50 of the criminal procedure law, or by an order adjourning the criminal action in contemplation of dismissal, pursuant to section 170.55, 170.56, 210.46, 210.47, or 215.10 of the criminal procedure law, or by a youthful offender adjudication, as defined in subdivision one of section 720.35 of the criminal procedure law, or by a conviction for a violation sealed pursuant to section 160.55 of the criminal procedure law or by a conviction which is sealed pursuant to section 160.59 or 160.58 of the criminal procedure law, in connection with the licensing, housing, employment, including volunteer positions, or providing of credit or insurance to such individual; provided, further, that no person shall be required to divulge information pertaining to any arrest or criminal accusation of such individual not then pending against that individual which was followed by a termination of that criminal action or proceeding in favor of such individual, as defined in subdivision two of section 160.50 of the criminal procedure law, or by an order adjourning the criminal action in contemplation of dismissal, pursuant to section 170.55 or 170.56, 210.46, 210.47 or 215.10 of the criminal procedure law, or by a youthful offender adjudication, as defined in subdivision one of section 720.35 of the criminal procedure law, or by a conviction for a violation sealed pursuant to section 160.55 of the criminal procedure law, or by a conviction which is sealed pursuant to section 160.58 or 160.59 of the criminal procedure law. An individual required or requested to provide information in violation of this subdivision may respond as if the arrest, criminal accusation, or disposition of such arrest or criminal accusation did not occur. The provisions of this subdivision shall not apply to the licensing activities of governmental bodies in relation to the regulation of guns, firearms and other deadly weapons or in relation to an application for employment as a police officer or peace officer as those terms are defined in subdivisions thirty-three and thirty-four of section 1.20 of the criminal procedure law; provided further that the provisions of this subdivision shall not apply to an application for employment or membership in any law enforcement agency with respect to any arrest or criminal accusation which was followed by a youthful offender adjudication, as defined in subdivision one of section 720.35 of the criminal procedure law, or by a conviction for a violation sealed pursuant to section 160.55 of the criminal procedure law, or by a conviction which is sealed pursuant to section 160.58 or 160.59 of the criminal procedure law. For purposes of this subdivision, an action which has been adjourned in contemplation of dismissal, pursuant to section 170.55 or 170.56, 210.46, 210.47 or 215.10 of the criminal procedure law, shall not be considered a pending action, unless the order to adjourn in contemplation of dismissal is revoked and the case is restored to the calendar for further prosecution. [Executive Law 296(16)]

Charges may not be the same as the original arrest charges.

For certain records (including preliminary court decisions or opinions or records and orders on appeal) related to the arrest or prosecution of an individual, with the Division of Criminal Justice Services, any court, police agency or prosecutor's office shall not be available to any person or public or private agency.



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*Insurance does not cover certain items. For details regarding claims exclusions see the Domestic Mail Manual at <http://pe.usps.com>.

** See International Mail Manual at <http://pe.usps.com> for availability and limitations of coverage.

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EXPECTED DELIVERY DAY: 03/20/24

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PS00001000014

EP14F October 2023
OD: 12 1/2 x 9 1/2



FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 20 2024 ★

FROM:

BROOKLYN OFFICE

ENEKAN EDO
145-38 130th Ave

Jamaica NY 11436
FILED

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 20 2024 ★

BROOKLYN OFFICE

TO:

U.S. DISTRICT COURT
EASTERN DISTRICT COURT OF N.Y.
225 CADMAN PLAZA E, BROOKLYN
NEW, NEW YORK 11201